

JOSEPH JAGETZ)
Plaintiff,)
)
v.) Case No. 17-cv-4198
)
HALDEX BRAKE PRODUCTS)
CORPORATION,)
Defendant.)

Pursuant to 28 U.S.C. §§ 1441 and 1446, defendant Haldex Brake Products Corporation hereby gives notice of the removal of this action to this Court from the Circuit Court of Cole County, Missouri. The grounds for removal are as follows.

2. On September 8, 2017, the Summons and Complaint were served upon a representative of Haldex. In accordance with 28 U.S.C. § 1446(a), a copy of all process, pleadings, and orders received by Haldex are attached hereto as Exhibit A.

4. The United States District Court for the Western District of Missouri is the proper place to file this Notice of Removal under 28 U.S.C. § 1441(a) because it is the federal district court that geographically encompasses the place where the original State Court Action was filed and is pending.

5. Throughout Plaintiff's Complaint, she alleges that Haldex violated the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. § 1681, et seq. Therefore, federal question jurisdiction exists over Plaintiff's claims under 28 U.S.C. § 1331 because the resolution of Plaintiff's claims will require adjudication of disputed questions of federal law.

6. Because Plaintiff's FCRA claims arise under the laws of the United States, removal is appropriate under 28 U.S.C. § 1441.

7. The United States District Court for the Western District of Missouri is the appropriate court for filing a Notice of Removal because the Action is pending in the Circuit Court of Cole County, Missouri.

8. Pursuant to 28 U.S.C. § 1446(d), written notice of the filing of this Notice of Removal will be given to Plaintiff, and a copy of the Notice of Removal will be filed with the Clerk of Court for the Circuit Court of Cole County, Missouri.

9. Haldex reserves all defenses, including but not limited to, all defenses specified in Rule 12(b) of the Federal Rules of Civil Procedure.

10. Under the provisions of 28 U.S.C. § 1441(b) and any other applicable statutes, with which Defendant is in compliance, this Action is removable to the United States District Court for the Western District of Missouri.

Consequently, Defendant hereby gives notice of the removal of the Action to this Court.

Respectfully submitted,
STINSON LEONARD STREET LLP

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ATTORNEYS FOR DEFENDANT

Certificate of Service

I certify that on October 6, 2017, a copy of this document was served via ECF on counsel of record for plaintiff and was sent via First Class U.S. Mail, postage prepaid, to Charles Brown, Jayson Watkins, Brown & Watkins, 301 S. US 169 Hwy., Gower, MO 64454.

s/Christopher J. Leopold
Attorney for Defendant